

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

919 ANTICIPATORY BAIL APPLICATION NO.864 OF 2022  
WITH APPLN/2450/2022 IN ABA/864/2022

LALITA W/O. AJIT WALEKAR  
VERSUS  
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Garje Nisargraj B.  
APP for Respondent-State : Ms. V. S. Choudhari.  
Advocate for Complainant : Mr. N. R. Thorat.

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**CORAM : S. G. MEHARE, J.**  
**DATE : 23.08.2022**

**PER COURT :-**

1. Heard the learned counsel for the applicant and learned APP for the respondent-State.
2. The wife is seeking anticipatory bail for the offence of suicide committed by her husband. The FIR reveals that the deceased and the applicant had matrimonial discord. The applicant's relatives threatened and abused the deceased. Therefore, he felt insulted and committed suicide. The deceased also left the suicide note. The learned counsel for the applicant would submit that nothing is to be recovered from the applicant. The applicant had no role to play in the suicide committed by the deceased. The deceased was admitted to the

hospital. The applicant and her mother went to see him. Therefore, custodial interrogation of the applicant is not required.

3. The learned APP would submit that the C.C.T.V. footage of the hospital is not available, since it was old more than 26 days. However, the clip has been provided by the complainant side. It shows that the deceased and her mother simply went to see the deceased in the hospital. They saw him and left.

4. Learned counsel Mr. Thorat for the complainant has strongly opposed the application contending that the offence is very serious. The applicant has committed the overt act that caused deceased to take a decision to commit suicide. However, unfortunately he has no material to show that the custodial interrogation of the applicant is essential.

5. Perused the papers. The allegations against the applicant are that she and the deceased had matrimonial discord. Her relatives abused and threatened the deceased. Therefore, he felt insulted and committed suicide. After considering the papers, this Court is of the view that the prosecution has no case for custodial interrogation. Therefore, the application deserves to be allowed. Hence, the following order :

**ORDER**

- (i) The application is allowed.
- (ii) The interim protection granted to the applicant by the order dated 15.07.2022 stands confirmed on the same terms and conditions.
- (iii) Criminal Application No.2450 of 2022 is allowed.

**(S. G. MEHARE, J.)**

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